

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:10CV200-GCM**

Neil Allran, Terry Spoerle, and)
Leslie J. Dale,)
)
Plaintiffs,)
)
v.)
)
New York Federal Reserve Bank,)
JP Morgan Chase Bank, Citigroup,)
Citibank, Wells Fargo,)
American International Group, Inc.,)
Ben Bernanke, Alan Greenspan,)
Henry M. Paulson, Jr.,)
Sheila C. Bair, William C. Dudley,)
John Snow, Sanford L. Weill,)
James L. Dimon, Victor Pandit,)
Charles Prince, Timothy F. Geitner,)
John M. Reich, John D. Hawke, Jr.,)
John C. Dugan, Donald L. Kohn,)
Kevin M. Warsh, Elizabeth A. Duke,)
Daniel K. Tarullo, and)
Frederic S. Mishkin,)
)
Defendants.)

ORDER

THIS MATTER is before the Court upon its own motion. As the Complaint fails to adequately state a claim for which relief can be afforded, for the reasons stated below, this Court hereby orders the plaintiff's complaint to be DISMISSED.

When it is clear as a matter of law that no relief can be granted under any set of facts that could be proved consistent with the allegations in a Complaint, the court is warranted in either granting a Defendant's motion to dismiss for failure to state a claim or ordering a dismissal sua sponte, both under Rule of Federal Civil Procedure 12(b)(6). *Grier v. USA*, 1995 U.S. App.

LEXIS 14789 (4th Cir. 1995) (per curiam), *see also*, *Jensen v. Conrad*, 570 F. Supp. 91, 100 (D.S.C. 1983), *aff'g* 747 F.2d 185 (4th Cir.), *cert. denied*, 470 U.S. 1052 (1984). (dismissing sua sponte pursuant to Rule 12(b)(6) Defendant County Board because there was no legislation authorizing an action for wrongful death against the County Board as required under the doctrine of sovereign immunity.)

To survive dismissal under Federal Rule of Civil Procedure 12(b)(6), a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Ashcroft v. Iqbal*, 129 S.Ct. 1937, 1949 (2009) (quoting *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 550 (2007)) The facial plausibility standard requires “the plaintiff to articulate facts, when accepted as true, that ‘show’ that the plaintiff has stated a claim entitling him to relief.” *Francis v. Giacomelli*, No. 08-1908 (4th Cir. Dec. 2, 2009) (quoting *Iqbal*, 129 S.Ct. at 1950). “The Supreme Court has held that a complaint must contain ‘more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do.’” *Id.* at 9 (quoting *Iqbal*, 129 S.Ct. at 1949).

Here, Plaintiffs, through counsel, allege a conspiracy by Defendants to establish a “New World Order” for the purpose of perpetrating an “evil scheme to rule the world [and] engage in intentional evil, sinful, unlawful and deceitful acts.”(p. 17 ¶ 5). As such, Plaintiffs fail to recite facts sufficient to establish a claim upon which relief can be based. Therefore, the Complaint is hereby ordered to be DISMISSED with prejudice.

Signed: May 27, 2010



Graham C. Mullen
United States District Judge

